

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
Flint Water Litigation

Case No. 16-cv-10444
Hon. Judith E. Levy
Mag. Elizabeth A. Stafford

**EXHIBIT C TO
NON-PARTY NICOLE FLOTTERON'S
MOTION FOR PROTECTIVE ORDER**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

IN RE:

Civil Action No. 16-cv-10444

FLINT WATER LITIGATION

**OBJECTION TO SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION
TO JENNIFER KAUFMANN**

Pursuant to Rule 45 of the Federal Rules of Civil Procedure, Non-Party Jennifer Kaufmann (“Responding Party”), by and through her undersigned counsel, hereby responds and objects to the Subpoena to Testify at a Deposition in a Civil Action (the “Subpoena”) issued by All Individual Plaintiffs (“Propounding Party”), as follows:

PRELIMINARY STATEMENT

These responses, while based on diligent inquiry and investigation by Responding Party, reflect only the current state of Responding Party’s knowledge, understanding, and belief, based upon the information reasonably available to her at this time. Accordingly, these responses are provided without prejudice to Responding Party’s right to rely upon and use any information that it subsequently discovers, or that was omitted from these responses as a result of mistake, inadvertence, surprise, or excusable neglect. Without in any way obligating herself to do so, Responding Party reserves the right to modify, supplement, revise, or amend these responses, and to correct any inadvertent errors or omissions which may be contained herein, in light of the information that Responding Party may subsequently obtain or discover.

Nothing in this response should be construed as an admission by Responding Party with respect to the admissibility or relevance of any fact or document, or of the truth or accuracy of any characterization or statement of any kind contained in Propounding Party's requests.

Each of the following responses is made solely for the purpose of this proceeding. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court. All objections and grounds are expressly reserved and may be interposed at the time of trial, hearing, or otherwise. Furthermore, each of the objections contained herein is incorporated by reference as though fully set forth in each response.

Nothing contained herein is to be construed as a waiver of any attorney-client privilege, work product doctrine, or any other applicable privilege or doctrine. To the extent any document request contained in the Subpoena may be construed as calling for disclosure of information protected from discovery by the attorney-client privilege, the work product doctrine, or any other privilege or protection, a continuing objection to each and every such request is hereby interposed.

GENERAL OBJECTIONS

1. Responding Party objects to the Subpoena on the grounds that it seeks testimony and documents that are not relevant to any parties' claims or defenses and/or not proportional to the needs of the case.

2. Responding Party further objects to the Subpoena to the extent it seeks testimony or documents that call for the disclosure of information protected by the attorney-client privilege, the attorney work product doctrine, the joint defense privilege, the common interest privilege, and/or any other legally cognizable privilege against disclosure.

3. Responding Party further objects to the Subpoena to the extent that it seeks testimony or documents that call for the disclosure of confidential, proprietary, financial or sensitive business information or trade secrets.

4. Responding Party further objects to the Subpoena to the extent it seeks testimony or documents inconsistent with, or beyond the scope and requirements of, the Federal Rules of Civil Procedure.

5. Responding Party further objects to the Subpoena on the grounds that it is overbroad and/or unduly burdensome.

6. Responding Party further objects to the Subpoena on the grounds that it infringes on the First Amendment rights of numerous parties, which all have constitutionally protected rights to express opinions regarding the subject matter of the trial.

7. Responding Party further objects to the Subpoena on the grounds that the date set for the deposition was unilaterally set and Responding Party and/or her counsel are not available on the date noticed.

8. In light of the objections herein, Responding Party will not appear for deposition on the date noticed in the Subpoena.

RESPONSES TO DOCUMENT REQUESTS

REQUEST NO. 1:

All communications between you and Pierre Farcot, between 2/1/16 and present.

RESPONSE TO REQUEST NO. 1:

Responding Party incorporates its General Objections herein by reference. Responding Party further objects to this Request on the grounds that it seeks documents that are not relevant to any parties' claims or defenses and/or not proportional to the needs of the case. Responding

Party further objects to this Request on the grounds that it seeks confidential and private information of a non-party. Responding Party further objects to this Request on the grounds that it is overly broad and unduly burdensome, particularly given that Responding Party is a non-party to the litigation and in light of the timeframe of documents sought. Responding Party further objects to this Request on the grounds that it infringes on the First Amendment rights of numerous parties, which all have constitutionally protected rights to express opinions regarding the subject matter of the trial.

REQUEST NO. 2:

All communications between you and anyone associated with Veolia Environnement S.A.

RESPONSE TO REQUEST NO. 2:

Responding Party incorporates its General Objections herein by reference. Responding Party further objects to this Request on the grounds that it seeks documents that are not relevant to any parties' claims or defenses and/or not proportional to the needs of the case. Responding Party further objects to this Request on the grounds that it seeks confidential and private information of a non-party. Responding Party further objects to this Request on the grounds that it is overly broad and unduly burdensome, particularly given that Responding Party is a non-party to the litigation and in light of the timeframe of documents sought. Responding Party further objects to this Request on the grounds that it infringes on the First Amendment rights of numerous parties, which all have constitutionally protected rights to express opinions regarding the subject matter of the trial.

REQUEST NO. 3:

All communications between you and anyone regarding the Bellwether I trial, between 2/16 and present.

RESPONSE TO REQUEST NO. 3:

Responding Party incorporates its General Objections herein by reference. Responding Party further objects to this Request on the grounds that it seeks documents that are not relevant to any parties' claims or defenses and/or not proportional to the needs of the case. Responding Party further objects to this Request on the grounds that it seeks confidential and private information of a non-party. Responding Party further objects to this Request on the grounds that it is overly broad and unduly burdensome, particularly given that Responding Party is a non-party to the litigation and in light of the timeframe of documents sought. Responding Party further objects to this Request on the grounds that it infringes on the First Amendment rights of numerous parties, which all have constitutionally protected rights to express opinions regarding the subject matter of the trial.

DATED: January 3, 2023

By: /s/ Ashlee N. Lin
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Attorneys for Non-Party Jennifer Kaufmann

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 9601 Wilshire Blvd., 7th Floor, Beverly Hills, California 90210.

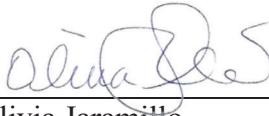
On January 3, 2023, I served true copies of the following document(s) described as **OBJECTION TO SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION TO JENNIFER KAUFMANN** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused courtesy copies of the document(s) to be sent from e-mail address ojaramillo@eisnerlaw.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on January 3, 2023, at Beverly Hills, California.



Olivia Jaramillo

SERVICE LIST

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